

2811

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
THOMAS J. SONDERMAN
ANTHONY J. TOPRAC
ANASTASIA O. PETERSON

Serial No.: 09/838,498

Filed: April 19, 2001

For: METHOD AND APPARATUS FOR
INCORPORATING CONTROL
SIMULATION ENVIRONMENT

Group Art Unit: 2811

Examiner: D. Owens

Conf. No.: 8900

Atty. Dkt.: 2000.067800/PT41

#4 Election
Innovation
4/22/03

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RESPONSE TO RESTRICTION REQUIREMENT DATED MARCH 13, 2003

Assistant Commissioner for Patents
Washington, D.C., 20231

Sir:

CERTIFICATE OF MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as "FIRST CLASS MAIL" addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on April 11, 2003.

Sharon U. Hart
Signature

This paper is submitted in response to the Restriction Requirement dated March 13, 2003; for which the one-month date for response is April 14, 2003 because April 12, 2003 is a Saturday. Since this response is filed on April 11, 2003, this paper is timely filed.

In response to the restriction requirement that the Examiner imposed, Applicants elect, with traverse, to prosecute claims 1-18 and 42-47, *i.e.*, the Group I claims.

Additionally, MPEP § 806.05(e) sets forth requirements for restricting a process and an apparatus for its practice. Claim 23 is a claim to "means" for practicing the process claims set forth in the Group I claims. According to MPEP § 806.05(e), a "means" claim is a linking claim and must be examined with the elected invention. If it is ultimately allowed, rejoinder is

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required. See MPEP § 809.04. Claim 23 satisfies the criteria set forth in MPEP 806.05(e) as a linking claim, and is therefore entitled to examination with the elected Group I claims. If it is ultimately allowed, rejoinder is required. See MPEP § 809.04. Applicants respectfully assert that no undue burden is placed upon the Office in examining claim 23 with the Group I claims. Therefore, Applicants hereby respectfully request that claim 23 included in the elected Group I claims.

Furthermore, claims 24-41 (Group III claims) are Beauregard claims that have similar elements as that of claims 1-18, *i.e.*, Group I claims. Although the preamble for claims 24-41 are different, the limitations of claims 24-41 are similar to those of claims 1-18. Applicants respectfully assert that no undue burden is placed upon the Office in examining claims 24-41 with the Group I claims. Therefore, Applicants respectfully assert that claims 24-41 (Group III claims) be examined with the Group I claims.

It is believed that no fee is due; however, **should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Assistant Commissioner is authorized to deduct said fees from Advanced Micro Devices, Inc. Deposit Account No. 01-0365/TT4141** In the event the monies in that account are insufficient, the Assistant Commissioner is authorized to withdraw funds from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2000.067300.

The Examiner is invited to contact the undersigned attorney at (713) 934-4069 with any questions, comments or suggestions relating to the referenced patent application.

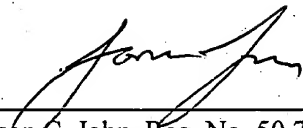
Respectfully submitted,

Date: April 11, 2003



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PATENT TRADEMARK OFFICE



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